

ASSIGNED
41663

Serial No.

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

JUL 8 1980

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... Map filed **SEP 17 1980** under 41661

The applicant George I. Benny - c/o Double Diamond Development Company

Suite 350, Arlington Towers, North Arlington - Reno
Street and No. or P.O. Box No. City or Town

Nevada 89501 hereby make S application for permission to change the
State and Zip Code No.

Place and Manner of Use

of water heretofore appropriated under Claim No. 720 of the Truckee River Final

Decree Docket in Equity A-3
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Thomas Creek
Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed 3.53 second feet, 554 Acre Feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-Municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore used for As Decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within SE $\frac{1}{4}$, SW $\frac{1}{4}$, Section 7, T18N,
R20E, MDB&M at a point from which the center of Section 8, (same
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
Township & Range) bears N 70°30' E a distance of 6550 feet
stated.

6. The existing point of diversion is located within same as above, the decree states point
of diversion is within Section 7, T19N, R20E MDB&M however, physical
If point of diversion is not changed, do not answer.
& historical data indicate the above point of diversion

7. Proposed place of use See Attached
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 40 acres in NE $\frac{1}{4}$, SE $\frac{1}{4}$; 7.4 acres in SE $\frac{1}{4}$, NE $\frac{1}{4}$;
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
16.4 acres in NW $\frac{1}{4}$, SE $\frac{1}{4}$; 39.5 acres in SE $\frac{1}{4}$, SE $\frac{1}{4}$; 37.1 acres in
SW $\frac{1}{4}$, SE $\frac{1}{4}$; all in Section 5, T18N, R20E, MDB&M

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use has been from As Decreed to of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Headgates, Ditches and Pipelines
State manner in which water is to be diverted, whether by dam or other works,
to treatment works
whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$10,000.00
13. Estimated time required to construct works.....1 year
14. Estimated time required to complete the application of water to beneficial use.....5 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water to be used in proposed Double Diamond Development consisting of 8000 residential units, 1315 acres of open space and 489 acres of commercial and industrial properties. Waters not used directly will be recharged to the ground-water basin for "carry over" storage and withdrawal during critical surface water periods.

Compared ha/jw gk/bc Applicant George I. Benny

By s/Brien B. Walters
Brien B. Walters (Agent)
248 W. 1st St., Suite 106
Reno, Nevada 89501

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the manner and place of use of the waters of the Truckee River (Howards Creek) as heretofore granted under Claim 720, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

Measuring devices with totalizing capability shall be installed and accurate measurements of all water diverted and placed to beneficial use shall be recorded and submitted to the State Engineer as required.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.53 cubic feet per second, but not to exceed 554.0 acre-feet annually as decreed.

- Actual construction work shall begin on or before N/A
- Proof of commencement of work shall be filed before N/A
- Work must be prosecuted with reasonable diligence and be completed on or before July 22, 1983
- Proof of completion of work shall be filed before August 22, 1983
- Application of water to beneficial use shall be made on or before July 22, 1988
- Proof of the application of water to beneficial use shall be filed on or before August 22, 1988
- Map in support of proof of beneficial use shall be filed on or before August 22, 1988

Commencement of work filed.....
Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of JULY
A.D. 1981

Abrogated By 62536 D. L. Port 65277-2-81 Port 65277-2-81

Abrogated By 56460T 0.08 Exp. 7-12-92
56460T 0.04 Exp. 10-11-94
Port 65016T 2.65 Exp 1-1-93

CANCELLED (10-79) SEP 29 1983 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Peter G. Morros STATE ENGINEER

Abrogated By Port 65287-0.06 Exp. 6-6-92
Port 66532-2.65 Exp. 10-11-94
56460T 0.08 Exp. 7-12-92
56460T 0.04 Exp. 10-11-94

BR Cancellation recorded 12-18-84

ATTACHMENT A - ANSWER TO QUESTION 7

<u>USE WITHIN</u>	<u>1/4 of 1/4</u>	<u>SECTION</u>	<u>T.18N., R.20E., M.D.B. & M</u>
	SE - NW	4	
	SE - NE	4	
	S 1/2	4	
	E 1/2 - NE	5	
	E 1/2 - SE	5	
	SW - SE	5	
	NW - SE	5	
	NE 1/4	8	
	N 1/2 - SE	8	
	SW - SE	8	
	SE - SW	8	
	SE - SE	8	
	NE - SW	8	
	ENTIRE SECTION	9	
	N 1/2	16	
	NW - SE	16	
	NE - SE	16	
	NW - SW	16	
	NW - NE	17	
	NE - NE	17	
	SE - NE	17	
	SW - NE	17	
	NE - SE	17	
	SE - SE	17	
	SW - SE	17	
	NW - SE	17	
	NW - SW	33	T.19N., R.20E., M.D.B. & M.

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<u>USE WITHIN</u>	<u>1/4 of 1/4</u>	<u>SECTION</u>	<u>T.19N., R.20E., M.D.B. & M.</u>
	NE-SW	33	
	SE-SW	33	
	SW-SW	33	

